IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

RP.No. 101 of 2007

AGAINST THE JUDGEMENT/ORDER IN WPC.31665/2006(T)
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: REVIEW PETITIONER/ORIGINAL PETITIONER.

N.KESAVA KURUP, S/O. NARAYANA MENON,
HINDU, AGED 73, RESIDING AT T.C.28/993,
JYOTHI BHAVAN, SREEKANTESWARAM, FORT,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.RAMASWAMY PILLAI
SRI.P.M.JOSEPH

RESPONDENTS:
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1. UNION OF INDIA,
REPRESENTED BY ITS FINANCIAL SECRETARY, NEW DELHI.

2. THE AUTHORISED OFFICER,
UNION BANK OF INDIA, M.G.ROAD, THIRUVANANTHAPURAM.

3. THE BRANCH MANAGER,
UNION BANK OF INDIA, M.G.ROAD, THIRUVANANTHAPURAM.

4. K.SUKUMARAN NAIR, S/O. P.R.K.NAIR,
AGED 43, HINDU, RESIDING AT SOWKUMARYA, T.C.4/1250
KAWDIAR, THIRUVANANTHAPURAM.

BY ADV. SRI.JOHN VARGHESE, ASSISTANT SG
SRI.A.S.P.KURUP – FOR BANK
SRI.K.R.SUNIL, CGC

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

R.P. No. 101 of 2007
in
WP(C) No. 31665 of 2006

Dated, this the 28th day of February, 2007

O R D E R

I heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the Bank.

2. Even though there is no ground to review the judgment, I feel in view of the undertaking to clear the arrears with higher rate of interest over the interest granted by DRT, petitioner can be granted further time to comply with the judgment, which is as follows :

If petitioner pays Rs. 2 lakhs more on or before 31/03/2007, the Bank will withhold proceedings to recover the balance amount decreed by DRT till 30/06/2007. However, interest to be charged from 01/02/2007 till date of payment shall be @ 12.5% per annum. The entire balance amount with interest as above will be paid on or before 30/06/2007. The judgment will stand in all other respects. If the petitioner fails to

pay Rs. 2 lakhs or settles the liability as above, petitioner will surrender the property to the Bank for sale as directed in the judgment. The Bank can recover the costs of securitisation proceedings, namely publication cost etc.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg